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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Jingrui Wu *et al.*

Art Unit: 1645

Serial No. 10/678,588

Examiner: not yet known

Filed: 10/02/2003

For: Yield-Improved Transgenic Plants

Information Disclosure

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Enclosed is an Information Disclosure Statement By Applicant listing the following enclosed documents which applicant is bringing to the attention of the USPTO pursuant to 37 CFR 1.56. The relevance of the documents is that each discloses at least one nucleotide and/or amino acid sequences of a DNA or a protein used to describe applicant's invention. SEQ ID NOs are those used to describe applicant's invention.

Edwards, et al., Plant Physiol. (1998) 117:1015-1022 discloses the *Arabidopsis thaliana* HAP3a of amino acid sequence in SEQ ID NO:7.

Li et al., Nucleic Acids Res., 20 (5), 1087-1091 (1992) discloses the corn transcription factor of amino acid sequence SEQ ID NO: 3 and DNA sequence of SEQ ID NO:4, which has been assigned SwissProt # P25209.

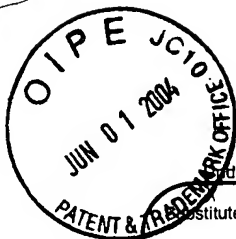
US Patent application publication US2002/0102695 which discloses transgenic plants with a transcription factor stress-related protein coding nucleic acid selected from the group which includes CAAT-box binding factor protein-3 (PpCBF-3). See Table 2 which shows that PpCBF-3 has 49% identity to the *Zea mays* Ccaat-binding transcription factor of SwissProt # P25209 (SEQ ID NO:3) and 42-62% identity to each of four proteins from *Arabidopsis thaliana*.

WO 02/057439 A2 discloses plant transcription factors and uses in transgenic plants including a comparison of the transcription factors. In example 3 the amino acid sequences of transcription factors are compared to the amino acid sequence of the corn transcription factor of SEQ ID NO:3 (in table 4 see gi22380; in Figure 1 see SID 32) and the *Arabidopsis thaliana* transcription factor of SEQ ID NO:7 (in Table 4 see gi6729485; in Figure 1 see SID 31).

Applicant has not conducted a specific prior art search.

Respectfully submitted,

Thomas E. Kelley
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Applicants' Attorney
Phone: 860-572-5274



PTO/SB/08B (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/678,588
		Filing Date	10/02/03
		First Named Inventor	Jingrui Wu
		Art Unit	1645
Examiner Name			
Sheet 1	of 2	Attorney Docket Number	38-15(52578)C

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	EDWARDS, DAVID, ET AL., Plant Physio., 1998, 1015-1022, 117.	
	2	XIAO-YAN LI, Nucleic Acids Research, Feb. 3, 1992, 1087-1091, Vol.20.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

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Sheet	2	of	2
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[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/057439 A2	07-25-2002	Cahoon et al.	Example 3	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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